

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	Criminal No. 7:19-cr-00522
	§	
DANIEL GARCIA	§	

**MOTION OF DEFENDANT TO REQUIRE GOVERNMENT TO SERVE
NOTICE OF EXISTENCE OF ELECTRONIC OR MECHANICAL SURVEILLANCE**

DANIEL GARCIA, Defendant, requests an Order requiring the Government to affirm or deny the existence of any audio or video recordings or other electronic surveillance conducted in this case or obtained from an alleged co-conspirator.

I.

Mr. Garcia requests copies of any recordings which may contain his voice or image that are in the possession of the Government and which were made in the investigation of this or any related case.

II.

In order that such affirmation or denial rest not on the knowledge of the present prosecutors, the Defendant requests an order for the Government to inquire as to whether any other law enforcement authorities involved in the investigation of this case are in possession of recordings or surveillance records responsive to this Motion.

Respectfully submitted,

/s/ Clay S. Conrad
CLAY S. CONRAD
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion, has been electronically delivered via the CM/ECF system to the Assistant United States Attorneys responsible for litigation in this matter on March 17, 2020.

/s/ Clay S. Conrad
CLAY S. CONRAD

CERTIFICATE OF CONFERENCE

This is to certify that on March 17, 2020 I conferred with Roberto Lopez, the Assistant United States Attorney in charge of the above-styled and numbered cause, and that he was opposed to the granting of this motion.

/s/ Clay S. Conrad
CLAY S. CONRAD

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VS.

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Criminal No. 7:19-cr-00522

ORDER

On this day, came on to be heard the foregoing motion and the same is hereby GRANTED. The Government is ordered to provide the Defendant with either access to, or accurate first-generation copies of, any electronic surveillance performed in this case which may contain the voice or image of the Defendant.

SIGNED _____, 2020.

DISTRICT JUDGE